



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
OFFICE OF  
STATE PLANNING COORDINATION

August 19, 2004

Mr. Andrew Hayes  
River Basin Engineering  
724 Yorklyn Road, Ste. 300  
Hockessin, DE 19707

RE: PLUS review – PLUS 2004-07-09; Wetherby

Dear Mr. Hayes:

Thank you for meeting with State agency planners on August 4, 2004 to discuss the proposed plans for the Wetherby project to be located on Harmons Hill Road in Sussex County.

According to the information received, you are seeking site plan approval for a 92 unit residential subdivision to be located on 64.98 acres. It should be noted that this parcel is located within the Rural area of the Strategies for State Policies and Spending as well as the Sussex County Comprehensive Plan.

It should be noted that this plan, combined with plans for Double Eagle Farms, Indigo Run and Wetherby will add 965 residential units to the Rural area in this vicinity, irrevocably changing the landscape and environment of this area, and causing a variety of cumulative impacts on the natural environment, roads and other resources in the area. Therefore, the State opposes these projects and/or requests that if they move forward, they be coordinated so as to address the potential cumulative impacts.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.

This office has received the following comments from State agencies:

**Office of State Planning Coordination – Contact: Ann Marie Townshend 739-3090**

As previously stated, this proposal is located in a “Rural” area according to the 1999 Strategies for State Policies and Spending, and the “Investment Level 4” area according to the draft 2004 Strategies update. In these areas, State policies encourage preservation of natural and agricultural resources and discourage large scale development. We are concerned that this project, combined with the other projects being proposed in this immediate area, will significantly change the character of this area, causing significant impacts on the agricultural viability of the area as well as the natural and cultural resources, roads, and other factors that contribute to a high quality of life.

Although we are not in favor of this project, we understand that it can go forward as a permitted use in the AR-1 zone. If the project goes forward, we encourage the developer to utilize the County’s new cluster ordinance, to reduce the lot sizes and provide for additional opportunity to protect the vital natural resources on and around the site, including Polly Prettyman Branch, the wetlands and riparian buffers associated with it, and the forested areas the site.

**State Historic Preservation Office (SHPO) – Contact: Anne McCleave 739-5685**

The SHPO has noted that they do not favor this development proposal because it is located in the Rural area. Their office does not favor any developments in the Rural Areas.

With that said, if it goes forward the SHPO encourages that the development stay out of the wooded areas, as there is a high probability for archaeological sites.

There is a cemetery on the property. The developers need to be aware that burials can exist past the visible and marked cemetery and they need to be aware of the Delaware Unmarked Human Remains Act (7 Del. Code 54) and contact Faye Stocum at 302-739-5685 if any unmarked human remains are discovered.

It is also requested that any title trace information be provided to the SHPO. This will help them understand the history and boundaries of the cemetery. Ms. Stocum will be looking into more research of the cemetery; and Ann will be in touch with any follow-up comments from her research.

**Department of Transportation – Contact: Bill Brockenbrough 760-2109**

Because the development is proposed for a Rural Area, it is inconsistent with the Strategies for State Policies and Spending. Therefore DelDOT will not participate in the cost of any road improvements needed to support this development. The comments that

follow are technical, and are not intended to suggest that DelDOT supports this development proposal.

DelDOT does see opportunities for stub streets to connect this project to the lands east and west of it. Because the development is proposed for a Rural Area, DelDOT will suggest that those lands not be developed either. However, it is recommended that the stub streets be provided in case the lands are proposed for development.

Sidewalks should be provided throughout the community to encourage walking.

It is recommended that Norwood Court and Wetherby Lane, both cul-de-sacs, be joined into a single through street to promote internal circulation.

At the meeting, the applicant's engineer asked how DelDOT would regard an interconnection to the proposed Avebury subdivision. DelDOT does not support the development of either property; however, if they are to be developed and Polly Prettyman Branch, which separates the two properties, can be spanned, DelDOT would support their interconnection.

The applicant's engineer should continue to coordinate with the DelDOT Subdivision Manager for Sussex County, Mr. John Fiori, regarding their requirements with regard to the design of the site entrance and, if the streets are to be built for State acceptance, the design of the streets as well. Mr. Fiori may be reached at (302) 760-2260.

**The Department of Natural Resources and Environmental Control – Contact: Kevin Coyle 739-3091**

DNREC notes that this, in combination with other proposals in the immediate area will add 965 new residential units to the area. Further, all of these 965 units will have either on-site wastewater treatment or community wastewater treatment; none will be hooked into municipal or county sewers. The cumulative impact of these four neighborhoods on habitat, water quality, air quality, traffic, etc., is larger than that of any of the individual developments considered alone. Therefore, the Department opposes these projects and recommends that significant additional studies be required.

**Soils**

According to the recent soil survey update, the soils in the vicinity of the proposed construction are mapped as Evesboro, Downer, Fort Mott/Henlopen, Ingleside, Hammonton, Klej, Fallsington, and Hurlock.

The following is a summary of mapped soils found within the proposed construction; they are grouped on the basis of drainage class:

Well drained- Rosedale

Moderately well drained – Pepperbox

Poorly drained (**Hydric**) – Askecksy

Although most of the soils found on subject parcel appear are fairly well drained, they have limitations associated with rapidly permeable sandy surface and subsurface horizons. Such soils are conducive to nutrient leaching via groundwater or surface runoff into the surrounding watershed. In soils containing shallow water tables, these impacts are greatly intensified.

## **Wetlands**

Statewide Wetland Mapping Project (SWMP) maps indicate the presence of palustrine wetlands along Polly Prettyman Branch. The concept plan shows that wastewater treatment and stormwater management facilities either infringe into the wetlands and or their buffer areas. Lot lines are also shown to contain portions of either wetlands or buffer areas of Polly Prettyman Branch.

Lots and associated infrastructure should be removed in their entirety from both the wetland and the forest surrounding it. Forested buffers of no less than 100 feet should be employed from the edge of the wetland complex. The developer should note that both DNREC and Army Corps of Engineers discourage allowing lot lines to contain wetlands to minimize potential cumulative impacts resulting from unauthorized and/or illegal activities and disturbances that can be caused by homeowners.

Impacts to wetlands should be avoided. If impacts to wetlands are proposed, the developer should note that these impacts may be regulated by the Army Corps of Engineers through Section 404 of the Clean Water Act. In addition, individual 404 permits and certain Nationwide Permits from the Army Corps of Engineers also require 401 Water Quality Certification from the DNREC Wetland and Subaqueous Land Section and Coastal Zone Federal Consistency Certification from the DNREC Division of Soil and Water Conservation, Delaware Coastal Programs Section. Each of these certifications represents a separate permitting process.

Because there is strong evidence that federally regulated wetlands exist on site, **a wetland delineation, in accordance with the methodology established by the Corps of Engineers Wetlands Delineation Manual, (Technical Report Y-87-1) should be conducted. Once complete, this delineation should be verified by the Corps of Engineers through the Jurisdictional Determination process.**

**To find out more about permitting requirements, the applicant is encouraged to attend a Joint Permit Process Meeting.** These meetings are held monthly and are attended by federal and state resource agencies responsible for wetland permitting. Contact Denise Rawding at (302) 739-4691 to schedule a meeting.

## **ERES Waters**

This project is located adjacent to receiving waters of Inland Bays designated as waters having Exceptional Recreational or Ecological Significance (ERES). ERES waters are recognized as special assets of the State, and shall be protected and/ or restored, to the maximum extent practicable, to their natural condition. Provisions in Section 11.5 of Delaware's "Surface Water Quality Standards" (as amended August 11, 1999), specify that all designated ERES waters and receiving tributaries develop a "pollution control strategy" to reduce non-point sources of nutrient runoff through implementation of Best Management Practices (BMPs). Best Management Practices as defined in subsection 11.5(e) of this section, expressly authorizes the Department to provide standards for controlling the addition of pollutants and reducing them to the greatest degree practicable, or where attainable, a standard requiring no discharge of pollutants.

### **TMDLs**

With the adoption of Total Maximum Daily Loads (TMDLs) as a "nutrient-runoff-mitigation strategy" for reducing nutrients in the Inland Bays Watershed, reduction of nitrogen and phosphorus loading will be mandatory. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited water body" can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are authorized under federal code, states are charged with developing and implementing standards to support those desired use goals. The Jurisdictional authority for attaining these use goals will fall under the auspices of Section 11.5 of the State of Delaware's Surface Water Quality Standards (as amended August 11, 1999), and will be achieved via nutrient reductions referred to as "pollution control strategies."

Nutrient reductions prescribed under TMDLs are assigned on basis of water quality concerns – that is, the those regions deemed to be of greatest environmental concern will require correspondingly higher levels of nutrient reduction than those regions deemed less environmentally sensitive. In this watershed, these regions are demarcated as high and low reduction zones. The high reduction zone corresponds to the western portion of the watershed, and requires a reduction of nitrogen and phosphorus by 85 and 65 percent, respectively. The low reduction zone corresponds to the eastern portion of the watershed, and requires a reduction of nitrogen and phosphorus by 40 percent. **This project is proposed within the High nutrient reduction zone.**

**In order for the applicant to verify compliance with the TMDL mandate, a full nutrient accounting process known as a nutrient budget should be required.** This nutrient budget shall assess and compare contemporary nutrient loading rates from current land use(s), with those projected for the changed land use(s). Under the current TMDL nutrient reduction criterion for the Inland Bays watershed, all lands bounded by said watershed must demonstrate nutrient reductions that meet or exceed those percentage reduction level(s) prescribed for that reduction zone (e.g., high or low reduction zone).

To ensure that the desired reductions are consistent with said TMDL, the nutrient budget should employ relevant scientifically defensible assumptions from peer-reviewed research conducted in a geologic setting similar to that of the coastal plain of Delaware.

**Such a model is currently being developed by the Department. The developer/consultant should contact Lyle Jones in the Department's Watershed Assessment Section for further information regarding the acceptable protocol for calculating a nutrient budget.**

### **Water Supply**

Should an on-site public well be needed, it must be located at least 150 ft. from the outermost boundaries of the project. The Division of Water Resources will consider applications for the construction of on-site wells provided the wells can be constructed and located in compliance with all requirements of the Regulations Governing the Construction and Use of Wells. A well construction permit must be obtained prior to constructing any wells.

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-3665.

### **Stormwater Management**

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through Sussex Conservation District. Contact Jessica Watson, Program Manager, at (302) 856-7219 for details regarding submittal requirements and fees.

It is strongly recommended that you contact Sussex Conservation District to schedule a preapplication meeting to discuss the sediment and erosion control and stormwater management components of the plan. The site topography, soils mapping, pre and post development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion.

A Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be submitted to DNREC Division of Soil and Water Conservation along with the \$195 NOI fee prior to plan approval.

Applying practices to mimic the pre development hydrology on the site, promote recharge, maximize the use of existing natural features on the site, and limit the reliance on structural stormwater components, such as maintaining open spaces, should be considered in the overall design of the project as a stormwater management technique. Investigate the use of open swales for conveyance of runoff from the roadways to promote infiltration closer to the source of the runoff. We recommend reconfiguring the lots along Polly Prettyman Branch to provide more of a natural buffer along the waterway. Investigate other options for placement of the stormwater management facilities so as not to have to cut down the woods in order to construct the stormwater management basin.

Each stormwater management facility should have an adequate outlet for release of stormwater. Any drainage conveyed onto this site from neighboring properties must be adequately conveyed through the site to the discharge point without interruption.

Depending upon the type of wastewater treatment facilities proposed for the site, there may be implications for placement of the wastewater treatment area so near the stormwater management area. The *Sediment and Stormwater Regulations* do not require a specific separation distance between wastewater facilities and stormwater management features; however, a thorough soils investigation should be conducted.

A Certified Construction Reviewer (CCR) will be required for the site during construction. You should contact Sussex Conservation District for details regarding the CCR requirement.

## **Forests**

As the design phase of this project moves forward, DNREC strongly encourages the landowner(s) to consider preservation of upland, riparian, and wetland forests on these parcels. Forests provide environmental services that benefit humans directly such as water quality protection (erosion control and sediment, nutrient, biological and toxics removal), climate moderation, aesthetic value and recreational opportunities. In addition, forests provide habitat for many species of plants and animals. Forest fragmentation resulting from development separates wildlife populations, increases road mortality, and increases “edge effects” that leave many forest dwelling species, particularly songbirds, vulnerable to predation. DNREC would gladly assist the landowner(s) in evaluating these parcels for wildlife habitat. Many new incentive-based programs for wildlife management are available to private landowners through our agency. Please contact the Natural Heritage program at 302.653.2880 if the landowner(s) is interested in more information.

## **Open Space**

To maximize the existing buffering capacity and wildlife habitat on site, it is recommended that lot lines and other infrastructure (such as stormwater management ponds) be pulled out of the forest and areas of community open space be designated along the riparian areas. Doing so will accomplish two things: it will preserve the existing riparian buffers on site and its value for birds and wildlife and it will create recreational opportunities for residents by allowing them access to and views of the forest and stream.

In areas set aside for passive open space, the developer is encouraged to consider establishment of additional forested areas or meadow-type grasses. Once established, these ecosystems provide increased water infiltration into groundwater, decreased run-off into surface water, air quality improvements, and require much less maintenance than traditional turf grass, an important consideration if a homeowners association will take over responsibility for maintenance of community open spaces.

Open space containing forest and/or wetlands should be placed into a permanent conservation easement or other permanent protection mechanism. Conservation areas should also be demarked to avoid infringement by homeowners.

## **Revegetation**

For this project, it is requested that no invasive species be used in the revegetation of disturbed areas. A list of species considered invasive in Delaware can be found on the DNHP web site, <[www.dnrec.state.de.us/fw/invasive.htm](http://www.dnrec.state.de.us/fw/invasive.htm)>. The use of native plants is recommended and the DNREC Botanist, Bill McAvoy can be contacted at (302) 653-2880 to assist you in developing a plant list.

## **Recreation**

If this development is needed to meet the growing demand for housing in this area, it is strongly recommended that stub streets and sidewalks be provided to adjacent properties to the East, South and West. The current single entry/exit design restricts mobility and access to future amenities. It is also recommended that sidewalks be built fronting every residence and stub street. A complete system of sidewalks will: 1) fulfill the recreation need for walking and biking facilities 2) provide opportunities for neighbors to interact in the community and 3) facilitate safe, convenient off-road access to neighboring communities, public mass transit stops, schools, stores, work, etc.

Open space should be provided for active recreation.

The Division of Parks and Recreation conducted a telephone survey of Delaware residents to gather information on outdoor recreation patterns and preferences as well as



other information on their landscape perception. These findings are the foundation of the 2003-2008 Statewide Comprehensive Outdoor Recreation Plan (SCORP) providing guidance for investments in needed outdoor recreation facilities. The high and moderate facility needs in Eastern Sussex County are listed below. Consideration should be given to incorporate some of these recreation opportunities into the project.

High Priorities

Walking or Jogging Paths

Bike Paths

Fishing Areas

Moderate Priorities

Picnic Areas

Skate Facilities

Canoe/Kayak Access

Hiking Trails

Swimming Pools

Playgrounds

Soccer Fields

Tennis Courts

Power Boat Access

Baseball/Softball Fields

**Air Quality**

Air pollution threatens the health of human beings and other living things on our planet. While often invisible, pollutants in the air create smog and acid rain, cause cancer or other serious health effects, diminish the protective ozone layer in the upper atmosphere, and contribute to the potential for world climate change. Breathing polluted air can have numerous effects on human health, including respiratory problems, hospitalization for heart or lung disease, and even premature death. Some can also have effects on aquatic life, vegetation, and animals.

Once complete, vehicle emissions associated with this project are estimated to be 7.1 tons (14,121 pounds) per year of VOC (volatile organic compounds), 5.8 tons (11,691.3 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 4.3 tons (8,626 pounds) per year of SO<sub>2</sub> (sulfur dioxide), 0.4 ton (767.9 pounds) per year of fine particulates and 590.6 tons (1,181,207 pounds) per year of CO<sub>2</sub> (carbon dioxide)

Emissions from electrical power generation associated with this project are estimated to be 1.1 tons (2,257.3 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 3.9 tons (7,851.6

pounds) per year of SO<sub>2</sub> (sulfur dioxide) and 579.1 tons (1,158,118.1 pounds) per year of CO<sub>2</sub> (carbon dioxide).

Emissions from area sources associated with this project are estimated to be 2.8 tons (5,695.7 pounds) per year of VOC (volatile organic compounds), 0.3 tons (626.7 pounds) per year of NO<sub>x</sub> (nitrogen oxides), 0.3 tons (520.1 pounds) per year of SO<sub>2</sub> (sulfur dioxide), 0.3 ton (671.1 pounds) per year of fine particulates and 11.5 tons (23,088.9 pounds) per year of CO<sub>2</sub> (carbon dioxide)

	VOC	NO <sub>x</sub>	SO <sub>2</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
Mobile	7.1	5.8	4.3	0.4	590.6
Residential	2.8	0.3	0.3	0.3	11.5
Electrical Power		1.1	3.9		579.1
TOTAL	9.9	7.2	8.5	0.7	1181.2

The Department of Natural Resources and Environmental Control is asking that local jurisdictions consider mitigation to help resolve this issue. Mitigation might involve limiting large new developments to growth zones, focusing development to urban areas capable of providing mass transit services, requiring more energy efficient homes which would lessen air quality impacts, and promoting walkability and bikability within and between developments and town centers.

While the inclusion of bicycle and pedestrian facilities in the project and interconnection with other projects in the area would provide some level of mitigation, the location of this project outside of a designated growth area and distant from services creates a situation where reliance on automobiles will be inevitable, thereby having a significant impact on air quality.

### **Underground Storage Tanks**

There are no LUST sites located near the proposed project. However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would be need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel in the contaminated areas.

### **Site Investigation and Restoration**

The Department of Natural Resources and Environmental Control- Site Investigation and Restoration Branch (DNREC) has searched its database and has found that there are no Superfund sites within a one mile radius that have had a confirmed or suspected release

of a hazardous substance that warranted an investigation or cleanup by SIRB. If during construction activities, hazardous substances are encountered the applicant is required to report such findings pursuant to Title 7, Delaware Code, Section 6028, to DNREC at (302) 395-2600.

**State Fire Marshal's Office – Contact: Duane Fox - 856-5298**

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. **Fire Protection Water Requirements:**

- Where a water distribution system is proposed for single family dwellings it shall be capable of delivering at least 500 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 1000 feet spacing on centers are required.
- Where a water distribution system is proposed for townhouse type dwellings it shall be capable of delivering at least 1000 gpm for 1-hour duration, at 20-psi residual pressure. Fire hydrants with 800 feet spacing on centers are required.
- The infrastructure for fire protection water shall be provided, including the size of water mains.

b. **Accessibility:**

- All premises which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Harmons Hill Road must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- Any dead end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- If the use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.

c. **Gas Piping and System Information:**

- Provide type of fuel proposed, and show locations of bulk containers on plan.

**d. Required Notes:**

- Provide a note on the final plans submitted for review to read “ All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Name of Water Supplier
- Proposed Use
- National Fire Protection Association (NFPA) Construction Type
- Townhouse 2-hr separation wall details shall be shown on site plans
- Maximum Height of Buildings (including number of stories)
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: [www.delawarestatefiremarshal.com](http://www.delawarestatefiremarshal.com), technical services link, plan review, applications or brochures.

**Department of Agriculture - Contact: Mark Davis 739-4811**

A forested buffer is required between the proposed subdivision and all adjacent properties in active agricultural use. In addition, a forest buffer should be maintained for those pre-existing residential properties and along all streams, wetlands, and river that border the proposed subdivision.

The developer should consider a diverse landscape plan that uses Delaware native tree and shrub species and encourages the “Right Tree for the Right Place” concept.

**Public Service Commission - Contact: Andrea Maucher 739-4247**

The project information sheets state that water will be provided to the project by a central public water system. Records indicate that the project site is not located in an area where public water service is available. Should public water be desired, any public water utility providing water to the site must obtain a certificate of public convenience and necessity (CPCN) from the Public Service Commission. Information on CPCNs and the application process can be obtained by contacting the Public Service Commission at 302-739-4247.

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Recent legislation (Senate Bill 99) placed non-governmental companies providing wastewater services to 50 or more customers (in the aggregate) under the regulatory control of the PSC. While rules are not yet in place, governmental agencies offering wastewater services must file data with the Commission regarding its service areas. Contact: Kevin Neilson at (302) 739-4247.

**Delaware State Housing Authority – Contact Karen Horton 739-4263**

As a general rural, DSHA would like to see any residential development in areas where residents will have proximity to services, markets, and employment opportunities such as Communities and Developing Areas outlined in the *State Strategy Map*. The proposal is located in an area targeted for agricultural activities and natural resource protection, and therefore inconsistent with where the State would like to see new residential development.

**Delaware Emergency Management Agency – Contact: Don Knox 659-3362**

Because of the size and location of this project, an impact to public safety is foreseen by implementation of this project. The Developer should notify the police, fire services, and emergency medical response organizations serving this portion of Sussex County to keep them apprised of all development activities.

In addition, Routes 5 and 24 are both coastal storm evacuation routes and this development will add to the traffic volume on these routes during a coastal storm event.

**Department of Education – Contact: Nick Vacirca 739-4658**

92 Single family units could generate and estimated 46 additional students to the Cape Henlopen School District.

Sussex County does not have school concurrence legislation at this time. We recommend that the developer submit a package to the school district for informational purposes.

If the development is approved and build, please use the following information for school transportation planning. If there are homes more than 1/2 mile from the nearest public road (outside the development), developers should plan wide enough streets so that large school buses can access and turn around (without backing) from the furthest areas within the development while picking up and dropping off students. Should there not be any sites more than 1/2 mile from the nearest public road, provisions for appropriate pick-up and drop-off at the development entrance should be included. The developer should work closely with the school district transportation supervisor.

**Sussex County – Contact: Richard Kautz 855-7878**

The layout of the two cul-de-sacs backing up to each other should be reconsidered because the backyards of several lots could end up facing the front or side yard of adjacent lots. Furthermore, the layout should provide for connectivity with adjacent large parcels.

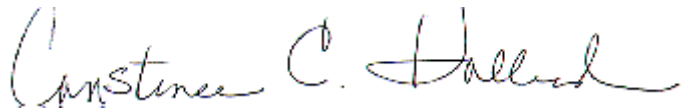
The open space should include more than just that area necessary for utilities and stormwater management.

The Sussex County Engineering Department stated that the project proposes to develop using a private central community wastewater system. It is located in Sussex County's North Coastal Planning Area. It is recommended that the wastewater system be operated under a long-term contract with a capable wastewater utility. The project is not in a Developing Area and Sussex County does not expect to provide sewer service in the foreseeable future. Sussex County requires design and construction of the collection and transmission system to meet Sussex sewer standards and specifications. When Sussex County provides sewer service, it is required that the treatment system be abandoned and a direct connection made to the county system at the developers and/or homeowners association expense. For questions regarding these comments, contact Rob Davis, Sussex County Engineering Department at (302) 855-7820.

**Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.**

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in blue ink that reads "Constance C. Holland". The signature is fluid and cursive, with the first name "Constance" being the most prominent part.

Constance C. Holland, AICP  
Director

CC: Sussex County